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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,853	12/03/2004	Yingping Zhou	15049B (OUP12004451US)	7260

7590 08/22/2005

EXAMINER
NGUYEN, HUY D

ART UNIT	PAPER NUMBER
2681	

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DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/516,853	ZHOU ET AL.	
	Examiner	Art Unit	
	Huy D. Nguyen	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

AJ

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9, 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song (U.S. Patent No. 6,393,297) in view of Schwartz et al. (US 2002/0160790 A1).

Regarding claims 1, 5, and 15, Song teaches a method for remote control using short message of a mobile phone, wherein, the method includes the steps of: assigning a unique identification code for the radio receiver of a controlled object; transmitting by the mobile phone the short message containing control command (see figure 2 and column 3, lines 64-65), the short message receiving terminal, according to the map, converting the associated content in the short message into the identification code of radio receiver and instruction code of the controlled object (see figure 2 and column 3, lines 66-67); converting the identification code and the instruction code into radio signals in radio-transmitted format and then transmitting them (this step is inherent since in order to transmit a baseband signal via radio frequency, the baseband signal has to be modulated using a carrier radio frequency); reverting the control instruction in the radio signal by the radio receiver having the identification code in its radio signal (this step is inherent in the receiving end in order to extract the baseband signal), and then transmitting it to the control system of the controlled object (see figure 2 and column 3, line 58 – column 4, line 4). Song does not teach establishing a map between the identification code and a mobile phone

number. However, the preceding limitation is taught in Schwartz et al. (see figure 4 and paragraph [0036] and [0037]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Schwartz et al. to the teaching of Song for security and to make sure the right device is controlled.

Regarding claims 2 and 16, the combination of Song and Schwartz et al. teaches the method according to claim 1, wherein, the radio receiver may be a control device with a receiving principle similar to that of a radio pager, and the identification code is the address code of the radio pager (e.g., in order to receive a SMS from a mobile phone, the receiver has to be a radio receiver, see Song: column 3, lines 64-67).

Regarding claims 3-4, the combination of Song and Schwartz et al. teaches the method according to claim 1 except that the short message contains the name of the controlled object. However, it would have been an obvious matter of design choice that the short message contains the name of the controlled object since the invention would perform equally well as long as there is an ID for the controlled object.

Regarding claim 6, the combination of Song and Schwartz et al. teaches the method according to claim 1, wherein, the identification code and the instruction code are converted into radio-transmitted protocol format through coding processing and are modulated into radio signals (this step is inherent since in order to transmit a baseband signal via radio frequency, the baseband signal has to be modulated using a carrier radio frequency).

Regarding claims 7-8, the combination of Song and Schwartz et al. teaches the method according to claim 1, wherein, the radio-transmitted protocol format is FLEX, POCSAG or other formats (see Song: column 2, lines 34-39).

Regarding claim 9, the combination of Song and Schwartz et al. teaches the method according to claim 1, wherein, before converting the control instruction in the radio signals, the radio receiver includes: demodulating the radio signals, and getting the identification code and the instruction code from the radio signals; then comparing the identification code and the instruction code it got with the identification code of itself, if they are identical, the radio receiver shall transmit the instruction code to the control system of the controlled object (see Song: column 3, lines 28-67).

Regarding claims 14 and 18, the combination of Song and Schwartz et al. teaches the method according to claim 1, wherein, the transmission of the control instruction from the radio receiver to the control system of the controlled object may be in the form of radio and may also be in the form of wire connection (see Song: figure 2 and column 3, line 58 – column 4, line 4).

Regarding claim 17, the combination of Song and Schwartz et al. teaches the system according to claim 15, wherein, the radio-transmitted protocol format is FLEX, POCSAG or other formats (see Song: figure 2 and column 3, line 58 – column 4, line 4).

Regarding claim 19, the combination of Song and Schwartz et al. teaches the system according to claim 15, wherein, the controlled object may be home appliances, the system of guard against theft or the system of charging of automobiles (see Song: figure 2 and column 3, line 58 – column 4, line 4).

3. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song (U.S. Patent No. 6,393,297) in view of Schwartz et al. (US 2002/0160790 A1) and in further view of Venkatesan et al. (U.S. Patent No. 6,483,918).

Regarding claims 10-11, the combination of Song and Schwartz et al. teaches the method according to claim 1 except further includes the steps of ciphering and deciphering the transmitted information. The preceding limitation is taught in Venkatesan et al. (see figure 2 and column 5, lines 19-67, column 6, lines 1-42).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Venkatesan et al. to the teaching of Song and Schwartz et al. for security purpose.

Regarding claims 12-13, the combination of Song, Schwartz et al., and Venkatesan et al. teaches the method according to claim 10, wherein, the steps of ciphering and deciphering are achieved by a signaling converting unit and a radio transceiver (see figure 2 and column 5, lines 19-67, column 6, lines 1-42).

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HN

Huy Nguyen

ERIKA A. GARY
PRIMARY EXAMINER